

FILED
JUL 18 2022

Tracey M. Slagle
YAKIMA COUNTY CLERK

SUPERIOR COURT OF WASHINGTON FOR YAKIMA COUNTY

MICHAEL SCOTT BRUMBACK, an
individual; and GIMME GUNS, a sole
proprietorship

Plaintiff,

vs.

ROBERT W. FERGUSON, in his official
capacity as Washington State Attorney General;
JOHN R. BATISTE, in his official capacity as
Chief of the Washington State Patrol; ROBERT
UDELL, in his official capacity as Sheriff for
Yakima County, Washington; and JOSEPH A.
BRUSIC, in his official capacity as County
Prosecutor for Yakima County.

Defendants.

No. *22-2-01446-39*

**AFFIDAVIT OF CHARLES GILROY
IN SUPPORT OF PLAINTIFFS'
MOTION FOR INJUNCTIVE AND
DECLARATORY RELIEF**

I, Charles Gilroy, make the following statements from my own personal knowledge under
penalty of perjury of the laws of the State of Washington:

1. I am an adult of 38 years of age. I am a United States citizen and a resident of the State
of Washington. I am of sound mind.
2. I own and operate Gimme Guns, sole proprietorship located at 4 E 10th Ave, Selah, WA
98942. Gimme Guns is a federally licensed firearms ("FFL") dealer, licensed by the

1 Bureau of Alcohol, Tobacco and Firearms under FFL license number of 9-91-XXX-XX-
2 XX-05394.

3 3. I have owned and operated Gimme Guns since January 2015.

4 4. I have roughly 10 years of experience in the firearms industry, including sales,
5 management, and ownership experience.

6 5. Throughout my time in the firearms industry, I have sold our bought nearly 50,000 guns
7 (on average, I sell 4,500 guns per year). I also sell gun accessories, including ammunition,
8 magazines, carrying bags, etc.

9 6. I sell handguns and rifles. Nearly all the firearms I sell have more than 10 round
10 magazines or capacity. On average, I sell roughly 5-6 handguns for each semi-automatic
11 rifle.

12 7. These semi-automatic firearms (handguns and rifles) with more than 10 round magazines
13 are sold to civilians and military alike. My experience at Gimme Guns is that I sell
14 firearms to less than two dozen active duty military members (compared to my annual
15 sales of nearly 4,500 firearms).

16 8. Prior to the passage and enactment of Engrossed State Senate Bill ("ESSB") 5078, my
17 weekly sales of greater than 10 rounds magazines varied from several to hundreds,
18 although it averaged out to a couple dozen.

19 9. After the enactment of ESSB 5078 (July 1, 2022), I have had several (at least 10)
20 customers seeking to purchase greater than 10 round magazines. I've had to deny each of
21 these potential purchasers as ESSB 5078 prohibits the sales of such magazines.

22 10. ESSB unquestionably impacts my ability to sell magazines and firearms that hold greater
23 than 10 rounds of ammunition. While I will lose the ability to make sales, more
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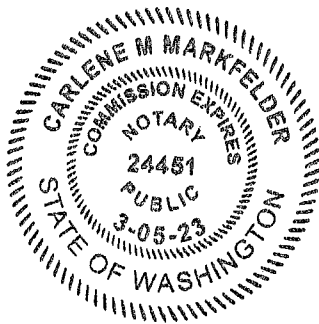
1 importantly, ESSB 5078 infringes on my right to sell, and my customers' rights to
2 purchase such magazines.

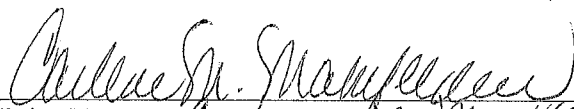
3 Made under penalty of perjury under the laws of the State of Washington. Signed in
4 Yakima, Washington this 14th day of July, 2022.
5

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8 Charles Gilroy, Owner of Gimme Guns
9

10 SUBSCRIBED TO AND SWORN before me this 14 day of July, 2022.
11




Print Name: Carlene M. Markfelder
NOTARY PUBLIC in and for the State of
Washington, residing at: Yakima
My commission expires: 3/5/2023